

16-509 PLANNED RESIDENTIAL DISTRICTS.

509.1 INTENT. Each of the residential districts herein before set forth shall have a separate and district counterpart known and herein referred to as a Planned District. A planned district shall be for the purpose of permitting and regulating the uses heretofore permitted in the equivalent district and further provide for and encourage latitude flexibility in the location of buildings, structures, roads, drives, variations in yards and open spaces, etc., subsequent to approval of the plan by local officials. The purpose is to allow development of tracts of land to their fullest extent and at the same time observe the general intent and spirit of these regulations.

509.2 DISTRICTS AND PERMITTED USES. The Planned Residential Districts shall be as follows:

<u>Planned District</u>	<u>Equivalent District</u>
RP-1	R-1
RP-2	R-2
RP-3	R-3
RP-4	R-4
RP-5	R-5

The uses permitted shall be the same as in the equivalent District R-1 to R-5 inclusive.

509.3 REGULATIONS AND ALLOWED VARIATIONS. In general, the height and bulk of buildings, the amount of open space, light and air, the concentration of population in the corresponding District R-1 to R-5 inclusive.

Variations and departures from normal practice may, however, be permitted. Each building need not face on a public street and more than one main building may be located on a lot. Buildings may be constructed on platted tracts which are smaller than the minimum lot size requirements were other adjacent permanent open space is provided. Buildings may be grouped in clusters or around courts and may be served by private drives in lieu of public streets. Buildings may be located closer to lot lines than otherwise permitted provided such buildings are architecturally suitable for such a relationship to adjoining buildings or property, due consideration being given to future development of adjoining property under separate ownership. Any building or portion thereof may be owned in condominium under 58-3101 Kansas Statutes Annotated.

509.4 PROCEDURE FOR REZONING PROPERTY TO A PLANNED RESIDENTIAL DISTRICT. A tract of land may be zoned RP-1 through RP-5 inclusive, only upon application by the owner or his/her agent, and only upon approval of a development plan. The proponents of a planned district shall prepare and submit to the Planning Commission a development plan containing the following elements:

- A. A development plan showing the property to be included in the proposed development, plus the area within two hundred (200) feet thereof.

Name of the developer and firm responsible for preparation, north scale, preparation date and revision dates, space for endorsement by Planning Commission and Governing Body, the proposed use and proposed zoning.

- B. The following items shall be included on the property to be developed:

1. Existing topography with contours at two foot intervals.
2. Proposed location of buildings and other structures, parking areas, drives, walks, screening, drainage patterns, public streets, and any existing easements.
3. Sufficient dimensions to indicate relationship between buildings, property lines, parking areas, and other elements of the plan.
4. General extent and character of proposed landscaping.

- C. The following items shall be shown on the same drawing within the 200 foot adjacent area:

1. Any public streets which are of record, and sidewalks.
2. Any drives which exist or which are proposed to the degree that they appear on plans on file with the City of Gardner, except those serving single-family houses.
3. Any buildings which exist or are proposed to the degree that their location and size are shown on plans on file with the City of Gardner. Single and two-family residential buildings shall be shown in approximate location and general size and shape.
4. The location and size of any drainage structure, such as culverts, paved or earthen ditches or storm water sewers and inlets, sanitary, water, transmission gas or electric.

- D. Preliminary sketches depicting the general style, size and exterior construction materials of the buildings proposed. In the event of several buildings, a typical sketch may be submitted. In case several building types, such as apartments and business buildings are proposed on the plan, a separate sketch shall be prepared for each type. Such sketches shall include elevation drawings and a floor plan, but detailed drawings and perspectives are not required.

- E. Any required covenants or restrictions shall be approved by the Planning Commission.

The Planning Commission shall advertise and hold a public hearing on the plan as provided by law. At such time as the development as planned meets with the approval of the Commission, the same shall be duly approved, properly endorsed and identified and sent on to the Council for action.

Upon final approval of the plan and the rezoning of the tract as required by law, construction may proceed and conformance with the plan and all supporting documentation is mandatory.

All final plans shall be submitted to the Planning Commission and approved as to compliance with the development plan prior to the issuance of a building permit. The final plans submitted shall include landscape plan showing species and size of all plant materials, areas to be seeded, sodded, etc., all to be in keeping with the development plan as approved. If in the judgment of the Commission, the concept of development, as depicted on the final plans, deviates substantially from the concept of the development plan submitted for zoning, the Commission may deny the request for final plan approval. The applicant, in this case, may apply for a new hearing, with publication and posting as required in Article 15, and the Commission and Council may approve or deny the final plans after said hearing. All decisions of the Planning Commission may be appealed to the City Council who may reverse or affirm the same.